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State Superintendent of Public Instruction

**CALIFORNIA
DEPARTMENT
OF
EDUCATION**

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April 30, 2003

Dear Consolidated Programs Directors and Direct Funded Charter School Administrators:

**2003-2004 CONSOLIDATED APPLICATION FOR FUNDING
CATEGORICAL AID PROGRAMS, PART I**

The letter is to provide you with information related to Part I of the 2003-2004 Consolidated Application (ConApp) for Funding Consolidated Categorical Programs. In addition to this mailing, we will also notify you via e-mail when the 2003-2004 ConApp is available on our Web site, using the contact information provided to us through last year's ConApp. We will also use e-mail whenever important information needs to be distributed quickly to applicant agencies.

The ConApp process is now entirely computerized. No part of the original paper process is in use. The application is accessed on-line at the California Department of Education (CDE) Web site at www.cde.ca.gov/ccpdiv and submitted electronically. This improvement has made the application easier to complete, and enables CDE to electronically collect data that is required for state and federal reporting.

The ConApp Data System (CADS)

CADS is the electronic version of the ConApp. CADS will run on Windows 95, 98, 2000, and on any computer that runs any of these versions of Windows. In order to obtain access to CADS, you must use your local educational agency (LEA) unique data access password, previously assigned to your LEA.

In addition to the data access password, each LEA has been assigned a unique certification password. This password is used to certify that the LEA has read and agrees to the conditions set forth in the legal assurances, and that all required signatures have been obtained and are on file in the LEA office, available to CDE upon request. The certification password is to be used only by the person designated by the LEA as its authorized representative.

If you have questions related to either the data access or certification passwords, please contact Brad Horton via e-mail at bhorton@cde.ca.gov. In your e-mail correspondence, please include your district name and complete County/District/School (CDS) code.

When submitting a revision to the ConApp, please follow the same procedures employed in the original electronic submission.

Consolidated Programs Cooperatives (COOPS)

A separate application must be submitted for each COOP member district, using the unique data access and certification passwords assigned by CDE to each such district for 2003-2004.

Key Dates for the 2003-2004 ConApp, Part I

- Available for LEA access May 15, 2003; and
- Submission due to CDE June 30, 2003.

Programs Included in the Consolidated Application

The following federal and state programs are included in the ConApp:

Federal, No Child Left Behind programs:

- Title I, Part A (Basic);
- Title I, Part A (Neglected);
- Title I, Part D (Delinquent);
- Title II, Part A (Teacher and Principal Training and Recruiting);
- Title II, Part D (Technology);
- Title III (Limited English Proficient (LEP) Students, referred to as English Learners in California);
- Title IV, Part A (Safe and Drug Free Schools and Communities);
- Title V, Part A (Innovative Strategies); and
- Title VI, Part B (Rural and Low-Income).

State categorical programs:

- Economic Impact Aid (State Compensatory Education and English Learner Programs);
- Miller-Unruh Reading Program;
- School Improvement Program;
- Tenth Grade Counseling;
- Peer Assistance and Review;
- Tobacco Use Prevention Education; and
- School Safety.

Change in Prior Year Data Reporting

In order for CDE to meet federal timelines for statewide reports, prior year LEA data reports

for the following programs are now included in Part I:

- Innovative Program Strategies;
- Federal Gun-Free Schools;
- Title I, Part A and Part D, Neglected or Delinquent Program;
- Title I, Part A; and
- REAP.

Legal Assurances

Legal assurances for programs funded through the ConApp are located on the CDE Web site at www.cde.ca.gov/ccpdiv. These assurances are binding on the applicant LEA. In the event an LEA cannot agree to specific assurances as a condition for receiving funds and operating programs, the issues must be identified and resolved by CDE prior to the submission of the ConApp. For assistance on resolving these issues please contact the Consolidated Programs Accountability Unit at (916) 445-9394.

Private, Non-profit Schools

Private, non-profit schools are eligible to participate in several No Child Left Behind (NCLB) programs, including Title I, Part A, Title II, Parts A and D, Title III, Title IV, Part A, and Title V, Part A. LEAs that participate in these programs must contact, or make reasonable efforts to contact, each private, non-profit school in their attendance area to determine whether the private school wishes to participate in any of these programs. A list of all California non-profit private schools is maintained on the CDE Web site at www.cde.ca.gov/ccpdiv/conapp/privateschls.pdf. Private schools currently participating in NCLB programs are listed on page 4 of the electronic version of the ConApp. Private schools **for profit** are not eligible to receive services under NCLB.

LEAs must also obtain, and maintain on file, the signature of the private school representative, certifying that the private school was consulted on a continuing basis as to the nature of services that will be provided to assist Title I students.

Title VI, Part B Rural, Low-Income Program

The Title VI, Part B Rural, Low-Income School (RLIS) Program is one of three Rural Education Initiatives known as the Rural Education Achievement Program (REAP) that provide grant funds to rural LEAs to serve concentrations of children from low-income families. An LEA may use RLIS funds to support a range of authorized activities in order to assist the LEA in meeting the requirement for adequate yearly progress. The LEA is eligible for allocation under the RLIS if:

- 1) Twenty percent or more of the children age 5 to 17 served by the LEA are from families with incomes below the poverty line;
- 2) All schools served by the LEA have a school locale code of 6, 7, or 8 assigned by the National Center for Education Statistics; and
- 3) The LEA is not eligible to participate in the Small Rural School Achievement (SRSA) program.

The two other REAP programs include the Alternative Uses of Funds Authority, that allows additional latitude in spending other federal funds, and the SRSA grant, awarded directly from the United States Department of Education to eligible LEAs.

A separate mailing on Title VI was recently sent to eligible districts. An LEA may determine the locale codes of its schools from the NCES Web site at www.nces.ed.gov.

Education for Homeless Children and Youths

LEAs that receive Title I, Part A funds are to reserve sufficient funds to provide comparable services to all homeless children and youths, including preschool children, regardless of whether or not they attend Title I participating schools (20 *United States Code* section 6313 (f)(3)(a)). Homeless children and youth should have access to the same free, appropriate public education and other services that such children and youths need to ensure that they have an opportunity to enroll, participate fully, and meet the same challenging State student academic achievement standards to which all students are held.

In addition, every LEA is required to appoint a district liaison for homeless children and youths. The liaison is to ensure access to education and support services, identify students in homeless situations, and disseminate notice of educational rights. This contact information is required as part of the ConApp process.

LEAs will also be required to identify in Part II of the ConApp the amount of funds that have been reserved by the LEA to serve homeless children and youths. For more information on the requirements for serving homeless, contact Leanne Wheeler, Consultant, Title I Policy and Partnerships Office, at (916) 319-0383. You may also access CDE's Homeless Web site at www.cde.ca.gov/cilbranch/homelesstoc.html for further information.

Title III Program for Limited English Proficient (LEP) Students

Under Title III of the NCLB Act of 2001, the CDE is authorized to award formula sub-grants to LEAs that request funds to provide supplementary programs and services to LEP students. Sub-grants will be based on the Spring 2003, R-30 Language Census data. The estimated per pupil allocation is \$68.00. In California, LEP students are referred to as English Learners.

Under the provision of Title III, only LEAs that generate a formula sub-grant of \$10,000 or more are eligible for direct funding. LEAs scheduled for direct funding are asked to accept or decline the Title III sub-grant for 2003-2004 on page 3 of Part I of the ConApp.

LEAs that are scheduled to receive grants in an amount that is less than \$10,000 in 2003-2004 are required by Title III statute to apply as a member of a consortium of two or more LEAs. The Title III formula sub-grant generated by a consortium must equal or surpass \$10,000. The consortia application process will not be transacted in the ConApp. Instead, LEAs with smaller numbers of LEP students should visit our Web site at www.cde.ca.gov/el/title3/rfalep.html for additional information and forms regarding LEP student consortia applications.

A table of estimated Title III sub-grant amounts and Spring 2003, R-30 Language Census enrollment data is available on our Web site at www.cde.ca.gov/el/title3/scheduledlep2003-04.html.

In addition to the sub-grants for LEP students, Title III also provides sub-grants to LEAs to serve eligible immigrant students. Applications for the Immigrant Education Program are not part of the ConApp process. For further information on immigrant students please visit our Web site at www.cde.ca.gov/el/title3/rfaimm.html.

Title IV, Part A – Safe and Drug-Free Schools and Communities (SDFSC) and Tobacco-Use Prevention Education (TUPE)

Both SDFSC and TUPE entitlement funds will be disbursed in two installments (40 percent and 60 percent). The first forty percent is released upon the receipt and approval of the LEA's 2003-2004 ConApp, Part I, and the 2002-2003 Healthy Kids Annual Report. Approval of the 2003-2004 ConApp, Part II and the Local Education Agency Plan (LEAP) is required prior to the release of the remaining SDFSC and TUPE funds.

The NCLB and state law (*Health and Safety Code*, section 104450) requires all LEAs that receive either SDFSC or TUPE funds respectively to complete a 2002-2003 Healthy Kids Annual Report describing their program activities and performance measure progress. Although originally designed to collect TUPE specific information, the Healthy Kids Annual Report is now a critical part of collecting the data and information required by the Uniform Management and Information Reporting System as mandated by NCLB.

The 2002-2003 Healthy Kids Annual Report is due no later than June 30, 2003. It is imperative that the LEA submits the report on time since the release of SDFSC and TUPE entitlement funds is contingent upon CDE's receipt of the report. Failure to submit the 2002-2003 Healthy Kids Annual Report by June 30, 2003 will indicate that the LEA declines to participate in the SDFSC or TUPE programs for the 2003-2004 fiscal year. As a result the LEA will not receive any 2003-2004 SDFSC and TUPE funds.

The carryover limitations for both programs remain the same, that is, LEAs are allowed to carryover up to 25 percent of their entitlement without demonstrating cause. In order to carryover more than 25 percent of their entitlement, LEAs must complete the *Justification Carryover Request* page in Part II of the ConApp. The need to carryover more than 25 percent of the SDFSC and TUPE entitlements in order to better support the costs of adopting science-based programs and research-based activities required by the LEAP will be considered an appropriate justification.

All of the SDFSC and TUPE program assurances included with this application have been revised to ensure that language based on the NCLB Act and state law are current and correct. The LEA is strongly encouraged to review the assurances and ensure that the LEA's SDFSC and TUPE programs are compliant. In particular, please note that the Principles of Effectiveness are now codified in statute and apply equally to the SDFSC and TUPE programs. All LEAs receiving SDFSC or TUPE funds are now required to administer the California Healthy Kids Survey every other year.

Title IX, Part E, Subpart 2, Section 9532 - Unsafe School Choice Option (USCO)

As a condition of receiving NCLB funds, each State must comply with the USCO requirements. Under USCO provisions, students attending a "persistently dangerous" public elementary or secondary school (as determined by the State), or who become a victim of a violent criminal offense (as determined by State law) while in or on the school grounds they attend, must be allowed to attend a safe public school within the LEA, including public charter schools. The LEAs must provide this transfer option to students attending a "persistently dangerous" school, as well as, students who are victims of a violent criminal offense by the start of the 2003-2004 school year.

In accordance with the State Board of Education's (SBE) policy definition for designating "persistently dangerous" schools, a public elementary or secondary school shall be designated "persistently dangerous" if for three consecutive fiscal years the number of criminal violent offenses, as specified in the policy, for students enrolled in the school exceeds one of the following rates:

- (a) For a school of fewer than 300 enrolled students, three expulsions; and
- (b) For a larger school, one expulsion for every 100 students or fraction thereof.

To fully comply with USCO requirements, it is imperative that all of the LEAs submit to the CDE, no later than June 30, 2003, pertinent expulsion information required by SBE policy for the 2000-2001, 2001-2002, and 2002-2003 fiscal years for each of their schools. The CDE, in consultation with SBE, will use this information to officially designate "persistently dangerous" schools by July 1, 2003. The standardized "Persistently Dangerous School Reporting Form," included in the 2003-2004 ConApp, Part I, is required to be completed by all of the LEAs for each of their schools. The CDE must report the number of "persistently dangerous" schools to the United States Department of Education annually. LEAs that fail to submit complete

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“Persistently Dangerous School Reporting Forms” by June 30, 2003 will be subject to withholding all of their NCLB funding until the information is provided.

Documents available on our Web site at <www.cde.ca.gov/ccpdiv>:

- 2003-2004 ConApp Cover Letter;
- 2003-2004 ConApp (blank pages);
- 2003-2004 ConApp Instructions;
- 2003-2004 ConApp Assurances;
- Private Nonprofit School List;
- CDE Contact List and Program Descriptions;
- Installation program for the ConApp data system; and
- CADS User Guide.

CADS User Guide

The CADS User Guide should answer your questions on how to access, complete, and submit your ConApp. However, if you require additional assistance related to CADS after reviewing the guide, please contact Linda Parker, Consultant, Consolidated Programs Accountability Unit, at (916) 319-0297.

Sincerely,

Geno Flores, Deputy Superintendent
Assessment and Accountability Branch

GF:bw